

State of Rhode Island Appeals Cover Sheet

Volume: 1 of 1

Trial Court Case Number: WC-2020-0360

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SUPERIOR COURT

WASHINGTON COUNTY

CHRISTOPHER LACCINOLE,

Plaintiff,

v.

HONORING AMERICAN LAW
ENFORCEMENT PAC,

Defendant.

CIVIL ACTION NO. WC-2020-0360

NOTICE OF REMOVAL

TO: THE CLERK OF THE SUPERIOR COURT IN WASHINGTON COUNTY, RHODE ISLAND AND ALL PARTIES:

PLEASE TAKE NOTICE: Defendant Honoring American Law Enforcement PAC (“HALE”) has filed a Notice of Removal with the United States District Court for the District of Rhode Island to remove this case from the Washington County Superior Court. HALE’s Notice of Removal is attached.

In accordance with Rhode Island Superior Court’s Electronic Filing System Guidelines, paragraphs 10.1 and 10.2, 28 U.S.C. §1446, and Local Rule 81, please transfer the entire court record of this matter to the U.S. District Court for the District of Rhode Island. Should you require anything further regarding this matter, please contact the undersigned.

Respectfully Submitted,
**HONORING AMERICAN LAW
ENFORCEMENT PAC**
By Its Attorneys

/s/ Brian C. Newberry

Brian C. Newberry (RI #5542)

bnewberry@donovanhatem.com

Adam C. Benevides (RI #8043)

abenevides@donovanhatem.com

DONOVAN HATEM LLP

53 State Street, 8th Floor

Boston, MA 02109

(617) 406-4500

(617) 406-4501 *fax*

Dated: October 9, 2020

CERTIFICATE OF SERVICE

I certify that on this 9th day of October, 2020, I filed the within document through the Electronic Filing System and caused a true copy of this document to be served via electronic mail upon the Plaintiff:

Christopher M. Laccinole (Pro se)

23 Othmar Street

Narragansett, RI 02882

chrislaccinole@gmail.com

Pro Se Plaintiff

/s/ Brian C. Newberry

2119387

99997.547

WASHINGTON COUNTY SUPERIOR COURT

SC DOCKET SHEET**CASE No. WC-2020-0360**

Christopher Laccinole
v.
Honoring American Law Enforcement PAC

§
§
§
§
§

Location: **Washington County Superior Court**
Filed on: **09/07/2020**
US District Court Case Number: **1:20-cv-00438**

CASE INFORMATION**Statistical Closures**

10/09/2020 Closed-Non Trial-Unassigned-Removed to Federal Court

Case Type: **Deceptive Trade Practice**

Case
Status: **10/09/2020 Closed**

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number WC-2020-0360
Court Washington County Superior Court
Date Assigned 09/07/2020






PARTY INFORMATION**Plaintiff****Laccinole, Christopher***Lead Attorneys***Pro Se**

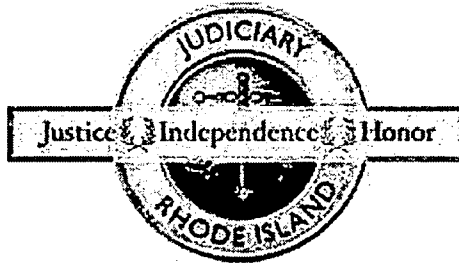
14017830762(H)

Defendant**Honoring American Law Enforcement PAC****BENEVIDES, ADAM***Retained*

6174064500 x4529(W)

DATE**EVENTS & ORDERS OF THE COURT**

10/09/2020 Closed-Non Trial-Unassigned-Removed to Federal Court
10/09/2020 Case Removed to US District Court
10/09/2020  Notice of Removal
NOTICE OF REMOVAL
10/09/2020  Default Entered
10/08/2020  Application for Entry of Default Filed
Plaintiff's Request for Entry of Default
09/08/2020  Summons
09/07/2020  Complaint Filed
Complaint



STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

CLERK'S CERTIFICATE AND TRANSMITTAL OF THE RECORD

Case Information

Case Caption: Christopher Laccinole vs. Honoring American Law Enforcement PAC
Federal Court Case No. 1:20-cv-00438 State Court Case No. WC-2020-0360

Record Information

Confidential: Yes ☐ No ☒ Description: _____
Sealed documents: Yes ☐ No ☒ Description: _____

Certification

I, Danielle Keegan, Clerk of the Rhode Island Superior Court for the County of
Washington do certify that the attached documents are all the documents
included in the record in the above referenced case.

Date: Oct/9/2020

Clerk:

/s/ Danielle Keegan

Prepared by:

/s/ Danielle Keegan

**STATE OF RHODE ISLAND
WASHINGTON COUNTY**

SUPERIOR COURT

CHRISTOPHER LACCINOLE
Plaintiff

C.A. No. WC-2020-00360

Vs.

**Honoring American Law Enforcement PAC
&
DOES 1-10, inclusive**
Defendants

ENTRY OF DEFAULT

It appearing that Defendant Honoring American Law Enforcement PAC has failed to plead or otherwise defend as provided by the Rhode Island Superior Court Rules of Civil Procedure,

DEFAULT is hereby **ENTERED** for the Plaintiff and against Defendant captioned above on this 9th day of October, 2020.

ENTER:

/s/ Danielle Keegan
Clerk

Respectfully Submitted,
The Plaintiff,
Christopher Laccinole

/s/ Christopher M. Laccinole
Christopher M. Laccinole
23 Othmar St.
Narragansett, RI 02882
chrislaccinole@gmail.com

**STATE OF RHODE ISLAND
WASHINGTON COUNTY**

SUPERIOR COURT

CHRISTOPHER LACCINOLE
Plaintiff

C.A. No. WC-2020-00360

Vs.

Honoring American Law Enforcement PAC
&
DOES 1-10, inclusive
Defendants

AFFIDAVIT OF PLAINTIFF

1. I am Christopher Michael Laccinole, a person over the age of 18, and competent to testify.
2. The facts stated in this affidavit are within my personal knowledge and are true and correct.
3. I am the Plaintiff in the above captioned case that I filed in this Superior Court.
4. Defendant Honoring American Law Enforcement PAC was served in this action on September 14, 2020 via USPS certified return receipt mail (Tracking Number 7020 1810 0001 1106 1388) with a summons, complaint, four exhibits, and four language assistance notices.
5. I was given receipts for those mailings from the post office.
6. I placed those receipts in my personal filing cabinet as is customary for documents I keep.
7. That on September 14, 2020, Defendant's Registered Agent, CT Corporation System signed for receipt of service.
8. When I checked my mailbox on September 28, 2020, I found the signed, returned

receipt for those mailings from the post office.

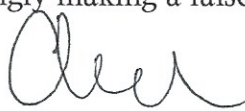
9. I placed that receipt in my personal filing cabinet as is customary for documents I keep.
10. That a true and accurate copy of the signed green return receipts showing the mailings referenced in paragraphs 5 through 9 of this affidavit is attached here as Exhibit 1.
11. Over twenty (20) days have passed since Defendant was served in this action and Defendant has failed to plead or otherwise defend this action as provided by this Court's rules.
12. Defendant Honoring American Law Enforcement PAC is in default on this action.
13. The Defendant in this action is not a person in military service as defined in Article 1 of the "Soldiers' and Sailors' Civil Relief Act" of 1940.
14. I have incurred substantial costs in this action.

DATE: October 8, 2020

STATEMENT UNDER OATH

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

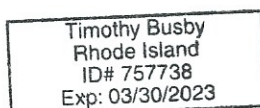
Dated: OCT 8, 2020

Signature of Party: 

Christopher M. Laccinole
23 Othmar St.
Narragansett, RI 02882

STATE OF RHODE ISLAND
COUNTY OF WASHINGTON

Sworn to or affirmed and signed before me on 10/8/20 by Christopher M Laccinole




NOTARY PUBLIC

Timothy D Busby
Printed Name of Notary

 Personally known

✓ Produced identification

Type of identification produced: RI DL # 2700008

The Plaintiff,
Christopher Laccinole

/s/ Christopher M. Laccinole
Christopher M. Laccinole
23 Othmar St.
Narragansett, RI 02882
chrislaccinole@gmail.com

EXHIBIT

1

WAKEFIELD
 551 KINGSTOWN RD
 WAKEFIELD, RI 02879-9994
 (800)275-8777

09/08/2020 12:34 PM

Product	Qty	Unit Price	Price
PM 2-Day	1		\$7.75
Flat Rate Env			
Washington, DC 20005			
Flat Rate			
Expected Delivery Day			
Friday 09/11/2020			
Certified			\$3.55
USPS Certified Mail #			
70201810000111061388			
Return Receipt			\$2.85
USPS Return Receipt #			
9590940260850125961331			
Total			\$14.15
Grand Total:			\$14.15

Credit Card Remitd \$14.15
 Card Name:VISA
 Account #:XXXXXXXXXXXX0629
 Approval #:03278D
 Transaction #:507
 AID:A0000000031010 Chip
 AL:VISA CREDIT
 PIN:Not Required

 Due to limited transportation availability as a result of nationwide COVID-19 impacts package delivery times may be extended. Priority Mail Express® service will not change.

Includes up to \$50 insurance

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm>

Preview your Mail
 Track your Packages
 Sign up for FREE @
www.informedelivery.com

All sales final on stamps and postage. Refunds for guaranteed services only. Thank you for your business.

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Washington, DC 20005

OFFICIAL USE

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$7.75
 Total Postage and Fees \$14.15

Sent To
 Honoring American Law Enforcement PAC
 CT Corporation System
 1015 15TH ST NW Suite 1000
 Washington DC 20005

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Honoring American Law Enforcement PAC
 CT Corporation System
 1015 15TH ST NW Suite 1000
 Washington DC 20005

2. Article Number (Transfer from service label)
 7020 1810 0001 1106 1388

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X [Signature] ☐ Agent ☐ Address

B. Received by (Printed Name)
 C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Mail Restricted Delivery (00)

☐ Priority Mail Express
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return

**STATE OF RHODE ISLAND
WASHINGTON COUNTY**

SUPERIOR COURT

CHRISTOPHER LACCINOLE
Plaintiff

C.A. No. WC-2020-00360

Vs.

**Honoring American Law Enforcement PAC
&
DOES 1-10, inclusive**
Defendants

PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT

Now comes the Plaintiff, Christopher Laccinole, in the above entitled matter and requests that the Clerk enter DEFAULT upon Defendant Honoring American Law Enforcement PAC pursuant to Super.R.Civ.P. 55(a). Plaintiff attaches an affidavit in support of his request for entry of default.

Plaintiff attaches an Entry of Default to this Request.

WHEREFORE, the Plaintiff requests that the Clerk enter DEFAULT upon Defendant Honoring American Law Enforcement PAC.

The Plaintiff,
Christopher Laccinole

/s/ Christopher M. Laccinole
Christopher M. Laccinole
23 Othmar St.
Narragansett, RI 02882
chrislaccinole@gmail.com

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**SUMMONS**

Plaintiff Christopher Laccinole v. Honoring American Law Enforcement PAC Defendant	Civil Action File Number WC-2020-0360
	Attorney for the Plaintiff or the Plaintiff Christopher Laccinole Address of the Plaintiff's Attorney or the Plaintiff 23 Othmar St Narragansett RI 02882
McGrath Judicial Complex Washington County 4800 Tower Hill Road Wakefield RI 02879 (401) 782-4121	Address of the Defendant CT Corporation System 1015 4 15th St NW Suite 1000 Washington DC 20005

TO THE DEFENDANT, Honoring American Law Enforcement Pac:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon the Plaintiff's attorney, whose address is listed above, an answer to the complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) of the Superior Court Rules of Civil Procedure, unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

This Summons was generated on 9/8/2020.	/s/ Danielle Keegan Clerk
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Witness the seal/watermark of the Superior Court

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**Plaintiff**

Christopher Laccinole

Civil Action File Number

WC-2020-0360

v.

Honoring American Law Enforcement PAC

Defendant**PROOF OF SERVICE**

I hereby certify that on the date below I served a copy of this Summons, complaint, Language Assistance Notice, and all other required documents received herewith upon the Defendant, Honoring American Law Enforcement PAC, by delivering or leaving said papers in the following manner:

- ☐ With the Defendant personally.
- ☐ At the Defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
 Name of person of suitable age and discretion _____
 Address of dwelling house or usual place of abode _____
 Age _____
 Relationship to the Defendant _____
- ☐ With an agent authorized by appointment or by law to receive service of process.
 Name of authorized agent _____
 If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ With a guardian or conservator of the Defendant.
 Name of person and designation _____
- ☐ By delivering said papers to the attorney general or an assistant attorney general if serving the state.
- ☐ Upon a public corporation, body, or authority by delivering said papers to any officer, director, or manager.
 Name of person and designation _____

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT

Upon a private corporation, domestic or foreign:

- ☐ By delivering said papers to an officer or a managing or general agent.

Name of person and designation _____

- ☐ By leaving said papers at the office of the corporation with a person employed therein.

Name of person and designation _____

- ☐ By delivering said papers to an agent authorized by appointment or by law to receive service of process.

Name of authorized agent _____

If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ I was unable to make service after the following reasonable attempts: _____

SERVICE DATE: ____/____/____
Month Day Year

SERVICE FEE \$ _____

Signature of SHERIFF or DEPUTY SHERIFF or CONSTABLE _____

SIGNATURE OF PERSON OTHER THAN A SHERIFF or DEPUTY SHERIFF or CONSTABLE MUST BE NOTARIZED.

Signature _____

State of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____ ☐ personally known to the notary or ☐ proved to the notary through satisfactory evidence of identification, which was _____, to be the person who signed above in my presence, and who swore or affirmed to the notary that the contents of the document are truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**SUMMONS**

Plaintiff Christopher Laccinole v. Honoring American Law Enforcement PAC Defendant	Civil Action File Number WC-2020-0360
	Attorney for the Plaintiff or the Plaintiff Christopher Laccinole Address of the Plaintiff's Attorney or the Plaintiff 23 Othmar St Narragansett RI 02882
McGrath Judicial Complex Washington County 4800 Tower Hill Road Wakefield RI 02879 (401) 782-4121	Address of the Defendant CT Corporation System 1015 4 15th St NW Suite 1000 Washington DC 20005

TO THE DEFENDANT, Honoring American Law Enforcement Pac:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon the Plaintiff's attorney, whose address is listed above, an answer to the complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) of the Superior Court Rules of Civil Procedure, unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

This Summons was generated on 9/8/2020.	/s/ Danielle Keegan Clerk
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Witness the seal/watermark of the Superior Court

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**Plaintiff**

Christopher Laccinole

Civil Action File Number

WC-2020-0360

v.

Honoring American Law Enforcement PAC

Defendant**PROOF OF SERVICE**

I hereby certify that on the date below I served a copy of this Summons, complaint, Language Assistance Notice, and all other required documents received herewith upon the Defendant, Honoring American Law Enforcement PAC, by delivering or leaving said papers in the following manner:

- ☐ With the Defendant personally.
- ☐ At the Defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
 Name of person of suitable age and discretion _____
 Address of dwelling house or usual place of abode _____
 Age _____
 Relationship to the Defendant _____
- ☐ With an agent authorized by appointment or by law to receive service of process.
 Name of authorized agent _____
 If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ With a guardian or conservator of the Defendant.
 Name of person and designation _____
- ☐ By delivering said papers to the attorney general or an assistant attorney general if serving the state.
- ☐ Upon a public corporation, body, or authority by delivering said papers to any officer, director, or manager.
 Name of person and designation _____



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SUPERIOR COURT

Upon a private corporation, domestic or foreign:

- ☐ By delivering said papers to an officer or a managing or general agent.

Name of person and designation _____

- ☐ By leaving said papers at the office of the corporation with a person employed therein.

Name of person and designation _____

- ☐ By delivering said papers to an agent authorized by appointment or by law to receive service of process.

Name of authorized agent _____

If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ I was unable to make service after the following reasonable attempts: _____

SERVICE DATE: ____ / ____ / ____
Month Day Year

SERVICE FEE \$ _____

Signature of SHERIFF or DEPUTY SHERIFF or CONSTABLE _____

SIGNATURE OF PERSON OTHER THAN A SHERIFF or DEPUTY SHERIFF or CONSTABLE MUST BE NOTARIZED.

Signature _____

State of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____ ☐ personally known to the notary or ☐ proved to the notary through satisfactory evidence of identification, which was _____, to be the person who signed above in my presence, and who swore or affirmed to the notary that the contents of the document are truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**SUMMONS**

Plaintiff Christopher Laccinole v. Honoring American Law Enforcement PAC Defendant	Civil Action File Number WC-2020-0360
	Attorney for the Plaintiff or the Plaintiff Christopher Laccinole Address of the Plaintiff's Attorney or the Plaintiff 23 Othmar St Narragansett RI 02882
McGrath Judicial Complex Washington County 4800 Tower Hill Road Wakefield RI 02879 (401) 782-4121	Address of the Defendant CT Corporation System 1015 4 15th St NW Suite 1000 Washington DC 20005

TO THE DEFENDANT, Honoring American Law Enforcement Pac:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon the Plaintiff's attorney, whose address is listed above, an answer to the complaint which is herewith served upon you within twenty (20) days after service of this Summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) of the Superior Court Rules of Civil Procedure, unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation, or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

This Summons was generated on 9/8/2020.	/s/ Danielle Keegan Clerk
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Witness the seal/watermark of the Superior Court

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT**Plaintiff**

Christopher Laccinole

Civil Action File Number

WC-2020-0360

v.

Honoring American Law Enforcement PAC

Defendant**PROOF OF SERVICE**

I hereby certify that on the date below I served a copy of this Summons, complaint, Language Assistance Notice, and all other required documents received herewith upon the Defendant, Honoring American Law Enforcement PAC, by delivering or leaving said papers in the following manner:

- ☐ With the Defendant personally.
- ☐ At the Defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
 Name of person of suitable age and discretion _____
 Address of dwelling house or usual place of abode _____
 Age _____
 Relationship to the Defendant _____
- ☐ With an agent authorized by appointment or by law to receive service of process.
 Name of authorized agent _____
 If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ With a guardian or conservator of the Defendant.
 Name of person and designation _____
- ☐ By delivering said papers to the attorney general or an assistant attorney general if serving the state.
- ☐ Upon a public corporation, body, or authority by delivering said papers to any officer, director, or manager.
 Name of person and designation _____

STATE OF RHODE ISLAND AND



PROVIDENCE PLANTATIONS

SUPERIOR COURT

Upon a private corporation, domestic or foreign:

- ☐ By delivering said papers to an officer or a managing or general agent.

Name of person and designation _____

- ☐ By leaving said papers at the office of the corporation with a person employed therein.

Name of person and designation _____

- ☐ By delivering said papers to an agent authorized by appointment or by law to receive service of process.

Name of authorized agent _____

If the agent is one designated by statute to receive service, further notice as required by statute was given as noted below.

- ☐ I was unable to make service after the following reasonable attempts: _____

SERVICE DATE: ____/____/____
Month Day Year

SERVICE FEE \$ _____

Signature of SHERIFF or DEPUTY SHERIFF or CONSTABLE _____

SIGNATURE OF PERSON OTHER THAN A SHERIFF or DEPUTY SHERIFF or CONSTABLE MUST BE NOTARIZED.

Signature _____

State of _____
County of _____

On this _____ day of _____, 20____, before me, the undersigned notary public, personally appeared _____ ☐ personally known to the notary or ☐ proved to the notary through satisfactory evidence of identification, which was _____, to be the person who signed above in my presence, and who swore or affirmed to the notary that the contents of the document are truthful to the best of his or her knowledge.

Notary Public: _____

My commission expires: _____

Notary identification number: _____

**FEC
FORM 1**

**STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (in full) ☐ (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

Honoring American Law Enforcement PAC (AKA HALE PAC)

ADDRESS (number and street)

1300 Pennsylvania Ave. NW 190 730

☐ (Check if address is changed)

Washington

DC

20004

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

☐ (Check if address is changed)

info@HALESUPERPAC.org

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address is changed)

2. DATE

M M / D D / Y Y Y Y
10 / 24 / 2019

3. FEC IDENTIFICATION NUMBER ►

C C00710178

4. IS THIS STATEMENT ☐ NEW (N) OR ☒ AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Hugh, Cameron, , ,

Signature of Treasurer

Hugh, Cameron, , ,

[Electronically Filed]

Date

M M / D D / Y Y Y Y
04 / 09 / 2020

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

Candidate Committee:

FEC Form 1 (Revised 02/2009)

Page 3

Write or Type Committee Name

Honoring American Law Enforcement PAC (AKA HALE PAC)**6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor**

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor**7. Custodian of Records:** Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Hugh, Cameron, , ,

Mailing Address

1300 Pennsylvania Ave NW 190 730

Washington

DC

20004

Title or Position

CITY

STATE

ZIP CODE

Treasurer

Telephone number

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).Full Name
of Treasurer

Hugh, Cameron, , ,

Mailing Address

1300 Pennsylvania Ave NW 190 730

Washington

DC

20004

Title or Position
Treasurer

CITY

STATE

ZIP CODE

Telephone number

FEC Form 1 (Revised 02/2009)

Page 4

Full Name of
Designated
Agent

Mailing Address

Title or Position

Telephone number

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

The Bank of Labor

Mailing Address

756 Minnesota Ave.

Kansas City

KS

66101

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

PNC BANK

Mailing Address

1549 Ringling Blvd.

Sarasota

FL

34236

CITY

STATE

ZIP CODE

Honoring American Law Enforcement PAC - Initial File Number: N00006324742

 corponline.dcrd.dcgov/BizEntity.aspx/ViewEntityData

Entity Info

Business NameHonoring American Law Enforcement PAC Suffix Registration / Effective
Date6/26/2019 Commencement Date6/25/2019 Entity StatusActive

Foreign Name Date of Organization State Country

Business Address

Line1 1300 Pennsylvania Ave. NW 190 730 Line2

City Washington State District of Columbia Zip 20004

Agent

Is non-commercial Registered Agent?No NameC T CORPORATION SYSTEM

Address

Line1 1015 15th St NW Line2 Suite 1000

City Washington State District of Columbia Zip 20005

EmailCT-StateCommunications@wolterskluwer.com

Honoring American Law Enforcement PAC - Initial File Number: N00006324742

 corponline.dcrd.dc.gov/BizEntity.aspx/ViewEntityData

- Main
- Reports
- Trade Names
- Beneficial Owners

Report List

Report Year	Date Filed	File Number
2020	3/17/2020	000006542766



Honoring American Law Enforcement PAC - Initial File Number: N00006324742

 corponline.dhra.dg.gov/BizEntity.aspx/ViewEntityData

- Main
- Reports
- Trade Names
- Beneficial Owners

Trade Name Listing

Trade Name	Registration Date	Trade Name Status	Trade Name Expiration Date
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No Trade Names were found.



Honoring American Law Enforcement PAC - Initial File Number: N00006324742

 corponline.dhra.dc.gov/BizEntity.aspx/ViewEntityData

Beneficial Owners

Business Contact Type	Name	Address	Executing Officer	File Number
Director	Slocumb, Dennis	1300 Pennsylvania Ave. NW 190 730 Washington, DC 20004	Is Executing Officer?: No	N00006324742
Director	Crivello, Michael	1300 Pennsylvania Ave. NW 190 730 Washington, DC 20004	Is Executing Officer?: No	N00006324742
Director	Stitt, Robert	1300 Pennsylvania Ave. NW 190 730 Washington, DC 20004	Is Executing Officer?: No	N00006324742
Governor	Slocumb, Dennis	1300 Pennsylvania Ave. NW 190 730 Washington, DC 20004	Is Executing Officer?: Yes Executing Officer Type: ExecutingOfficer	000006542766





Dear Chris Laccinole,

Confirmation No: 90 60-71223

Thank you for your 8/28/20 pledge of \$50.00!

Police and Sheriff Support Alliance (PSSA) is a special program of Honoring American Law Enforcement PAC and is a bipartisan, federally registered "Super Pac", committed to helping elect leaders who support legislation that will ensure law enforcement is best positioned to provide the highest degree of uninterrupted public safety service to America's communities. PSSA's resources will support those who emphasize laws that secure our country and local communities through employment of proven and accepted law enforcement tactics and techniques; PSSA will push for leader who understand the importance of, and encourage interagency cooperation. PSSA's objective is to specifically identify and support the elections of political candidates who are focused on a safer America through honoring the capabilities of American Law Enforcement Officers.

In this day and age, the safety of our citizens is more at risk than ever as is the safety of those who serve and protect them. It is imperative to support a legislative agenda of change to ensure that officers have the equipment and resources they need to effectively protect America's communities; most importantly we must have politicians who readily support the Law Enforcement Officer that ultimately will be expected to enforce the law.

Law Enforcement Officers are the front lines of defense to protect America's communities. They risk their lives daily to make sure all are safe. PSSA Super PAC is dedicated to the important purpose of promoting the interests and safety of Law Enforcement Officers and our communities, by properly influencing elections of our nation's political leaders – to ensure those who legislate [create the laws] share the goals, and further the cause of keeping America Safe!

Donations to PSSA Super PAC will be used to promote leaders with legislative goals that:

- Guarantees borders are protected through definable barriers, technology and proper manpower; "Build the Wall" prevents the protection of illegal aliens through sanctuary status; "No Sanctuary Cities/Counties/State"
- Ensures Law Enforcement is best positioned to provide the highest degree of uninterrupted public safety service to America's communities; "Stop the Anti-Police movement"
- Emphasize and promulgate the creation, or utilization of existing laws that secure our country and local communities through employment of proven and accepted law enforcement tactics and techniques; "Support the election of politicians who believe in the Rule-of-Law"

For any questions pertaining to this invoice, please call 888-717-0466.

Sincerely,
Hugh Cameron
Treasurer

PLEASE DETACH AND RETURN PLEDGE FORM BELOW, ALONG WITH YOUR CONTRIBUTION IN THE ENVELOPE PROVIDED.



Police & Sheriff's Support Alliance
PO BOX 26097
MILWAUKEE WI 53226-0097

Confirmation No: **90 60-71223**

Pledge Date: 8/28/20

DHA

Please Remit by: 9/7/20

Pledge Amt: \$50.00

Thank you.... Per phone conversation with: CHRIS
774-254-3366

Sponsor Confirmation

CHRIS LACCINOLE
23 OTHMAR ST
NARRAGANSETT RI 02882-3321

Remit to:

Police & Sheriff's Support Alliance
PO BOX 26097
MILWAUKEE WI 53226-0097



90120507122300050009

Police & Sheriff's Support Alliance (PSSA) is a special program of Honoring American Law Enforcement PAC and is a bipartisan political committee; it is a national program not affiliated with any local law enforcement agency. PSSA has been formed to help elect strong leaders who understand the importance of legislation that will ensure law enforcement is best positioned to provide the highest degree of uninterrupted public safety service to America's communities. PSSA's resources will support those who emphasize laws that secure our country and local communities through employment of proven and accepted law enforcement tactics and techniques; PSSA will push for leaders who understand the importance of, and encourage, interagency cooperation. Your gift is very much appreciated.

Contributions to PSSA are not tax deductible as charitable contributions under tax law. A copy of our latest financial report may be obtained by writing to our National Headquarters at: Honoring American Law Enforcement, 1300 Pennsylvania Avenue NW 190 170, Washington, DC 20004.

When you provide a check as payment, you authorize us to either deposit the check as a check transaction or use information on your check to make a one-time electronic debit from your account.

Thank you again for your support.

For further information visit our website at <http://www.policeandsheriffpac.org>



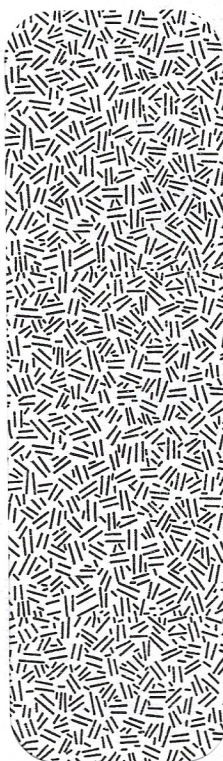
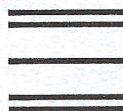
**TO ENSURE PROPER CREDIT FOR YOUR PLEDGE, PLEASE BE SURE TO RETURN
THE LOWER PORTION OF THIS STATEMENT WITH YOUR PAYMENT**

Contributions are not deductible as charitable contributions for federal income tax purposes. Federal Law prohibits contributions from corporations or foreign nations. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year.

Occupation: _____

Employer: _____

FROM _____



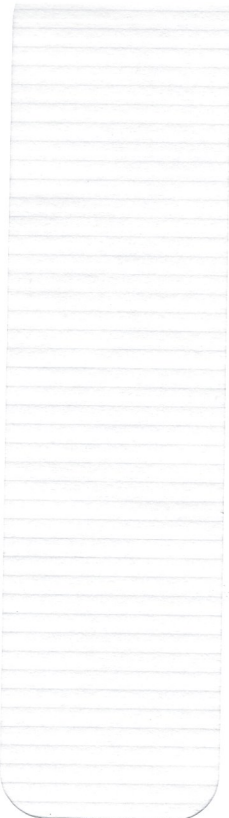
PRESORTED
FIRST-CLASS



US POSTAGE **\$00.41⁹**
AUG 31 2020
ZIP 53005
0901 1053291

Received
Sep 4, 2020

H2G-SAB 02882



The scourge of scam PACs

W [theweek.com/articles/896986/scourge-scram-pacs](https://www.theweek.com/articles/896986/scourge-scram-pacs)

February 23, 2020



What are 'scam PACs'?

They are political action committees that claim to raise money for a candidate or good cause but spend little or none of the donated funds for those purposes. People running scam PACs either pocket the money outright in the form of salaries and perks or, more subtly, funnel the donations to a network of companies (consultants, marketers, fundraisers) in which the PAC's managers have a stake. These phony PACs have noble-sounding names like Coalition for American Veterans or For a Better America, and pretend to support good causes like firefighters, veterans, and disease victims. Some claim to support political candidates such as President Trump ("Trump Victory") or Sen. Bernie Sanders. Typically, however, 80 to 90 percent of the money raised is spent on "overhead," and in egregious cases as much as 99 percent. "The money primarily goes to the people who are running the PAC," said Brett Kappel, campaign finance specialist at Akerman LLP.

Advertisement

Why do they get away with it?

Charities are policed by state authorities, but scam PACs are not covered by these laws and regulations. They register as political organizations, and thus enjoy considerable legal protection for their activities. In fact, said Adav Noti, a former Federal Election Commission lawyer, federal and state authorities have largely said they can't prosecute scam PACs that don't conceal where the money went or engage in other outright lies. PAC operators can always claim it "costs money to raise money," Noti said. "It's hard to bring cases unless you have evidence disproving that." That gives scam PACs a relatively free

hand. "I had breast cancer, so they knew how to get me," said JoAnn Coleman, 63, a donor to a PAC called Americans for the Cure of Breast Cancer, which took in \$1.6 million in donations over two and a half years and made exactly one \$10,000 contribution for research over that period. "What a racket," said Coleman.

How do they operate?

Most scam PACs hire telemarketing firms to contact would-be donors; these telemarketers often target retirees for the scripted calls. A recent *Reuters* investigation found that the fundraisers often operate out of nondescript strip mall offices in states like New Jersey, Alabama, Florida, and Nevada. These telemarketing firms often operate under multiple names, shut down, and then reemerge under new names. Alexander Lefler, who worked for one such firm, called TPFE Inc., in Alabama, said he'd been instructed to pitch whatever cause he was hawking "like it was a charity, but as quietly and quickly as you can, slip in that it was a PAC." Jason Jones, who made calls for a firm called Politicause, said, "You are not lying, but you are being extremely misleading." In one instance, Jones told *Reuters*, a person he called asked how much of the money would actually go to the charity. "We are proud to say it's a 90-10 split," Jones remembers reading from a script; he neglected to explain that it was his company that would be keeping the 90 percent. "We wish it was 100," he told the potential donor, "but we have to keep the lights on."

How many are there?

There are dozens of scam PACs popping in and out of existence, and they raise a lot of money. Kyle Prall of Austin was recently sentenced to three years in prison for raising \$548,428 for several PACs, including "Feel Bern" and "Trump Victory," while donating a total of less than \$5,100 to the candidates. He made the mistake of making explicit claims to donors about how the money would be used, while spending it instead on exotic vacations, lap dances, deep-tissue massage, and even a pet-cleaning fee. In December, *Politico* reported that almost 20 "unofficial" pro-Trump PACs had legally siphoned off \$46.7 million in donations during the two and a half years from his inauguration to mid-2019. One, Great America PAC, paid almost \$1 million to a public affairs firm registered to the PAC's co-chairman. "There's nothing we can do to stop them," said Kelly Sadler, a spokeswoman for America First, the one super PAC sanctioned by Trump. "This is a problem for the campaign, as well as us, as well as for the RNC."

Advertisement

Who else has been targeted?

One California con man focused exclusively on Democrats and progressive causes, leveraging a network of PACs to purportedly raise more than \$250,000 for Bernie Sanders, Beto O'Rourke, and "immigrant children." One now-convicted swindler, Cary Lee Peterson of Phoenix, raised \$90,000 for his pro-Sanders PAC "Americans Socially United," including a \$47,300 donation from James Bond actor Daniel Craig, but spent virtually nothing to help Sanders. Still, successful prosecutions remain rare. Last year, a U.S. district

judge struck down FEC rules barring unauthorized PACs from using a candidate's name. FEC Chair Ellen Weintraub said the ruling would "lead to confusion in the political marketplace" and "a wide opening for scam PACs to exploit."

The first federal prosecution

The Justice Department is finally taking notice of scam PACs. Last year, U.S. Attorney Geoffrey S. Berman announced the department's first successful case against a "scam PAC" artist. William Tierney of Arizona pleaded guilty to conspiring to commit wire fraud after duping tens of thousands of donors into contributing more than \$23 million to six PACs he founded, controlled, and operated. Less than 1 percent of the money raised ever made it to the causes he claimed to champion, including autism awareness, the pro-life movement, and law enforcement. Tierney, who admitted setting up shell companies and fake identities to conceal where the money went and falsely claiming how it was spent, was sentenced to two years in prison and ordered to pay \$1.17 million in restitution. Brett Kappel, the Washington, D.C., campaign finance law expert, called it "a very significant" prosecution that "sends a powerful message that consumer protection laws apply to political fundraising." After Tierney's plea, Berman warned, "This is the first-ever federal prosecution of fraudulent scam PACs, but it won't be the last."

This article was first published in the latest issue of The Week magazine. If you want to read more like it, try the magazine for a month [here](#).

**STATE OF RHODE ISLAND
WASHINGTON COUNTY**

SUPERIOR COURT

CHRISTOPHER LACCINOLE
Plaintiff

C.A. No.

Vs.

JURY TRIAL REQUESTED

**Honoring American Law Enforcement PAC
&
DOES 1-10, inclusive**
Defendants

COMPLAINT

I. INTRODUCTION

This is a civil action about a Political Action Committee (“PAC”) that is running a scam operation to fleece consumers of money for an ostensibly noble cause, while the managers of the scam pocket the money for themselves. In order to obtain money, Defendants robocall consumers like Plaintiff using an artificial or prerecorded voice. Just a few months ago, media outlets reported that this scam is prolific and profitable:

What are 'scam PACs'?

They are political action committees that claim to raise money for a candidate or good cause but spend little or none of the donated funds for those purposes.

People running scam PACs either pocket the money outright in the form of salaries and perks or, more subtly, funnel the donations to a network of companies (consultants, marketers, fundraisers) in which the PAC's managers have a stake.¹

¹ See Exhibit A: The scourge of scam PACs; The Week, February 23, 2020. Available at: <https://theweek.com/articles/896986/scourge-scam-pacs> (Accessed September 5, 2020).

Defendants robodialed Plaintiff's cellular telephone repeatedly with prerecorded messages soliciting for their scam.

1. The Plaintiff brings this action alleging the Defendants violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 (hereinafter "TCPA"). The Plaintiff seeks statutory damages, injunctive relief, costs, and attorney's fees under the TCPA.
2. The Plaintiff also alleges that Defendants' conduct while attempting to collect money constituted an unfair and/or deceptive practice in violation of the Rhode Island Deceptive Trade Practices Act, RIGL § 6-13.1 *et seq.* (hereinafter "DTPA"). The Plaintiff seeks statutory damages, actual damages, costs, attorney's fees, injunctive relief, and punitive damages for each Defendant under the DTPA.
3. The Plaintiff also alleges that Defendants' conduct violated Plaintiff's right to privacy under RIGL § 9-1-28.1 *et seq.* The Plaintiff seeks actual damages, costs, attorney's fees, and injunctive relief under the statute.
4. Plaintiff has no pre-existing business relationship with the Honoring American Law Enforcement APC (hereinafter "HALE") and never requested by an agreement or otherwise that he be contacted.
5. Any violations by Defendants were knowing, willful, intentional, and Defendants did not maintain procedures reasonably adapted to avoid any such violation.

II. JURISDICTION AND VENUE

6. This Court has jurisdiction to hear the TCPA claims in this matter pursuant to 47 U.S.C. § 227(b)(3) and 47 U.S.C. § 227(c)(5).
7. This Court has jurisdiction to hear RI DTPA claims pursuant to RIGL § 6-13.1-5.2.
8. This Court has jurisdiction to hear the Uniform Declaratory Judgments Act claims

pursuant to RIGL § 9-30-1.

9. Venue in this County is proper pursuant to 47 U.S.C. § 227(b)(3) and 47 U.S.C. § 227(c)(5) because the Plaintiff is a resident of this County and the conduct complained of took place in this County.

III. PARTIES

10. The Plaintiff is an adult resident, of the Town of Narragansett, County of Washington, State of Rhode Island, and is a “person” as the term is defined by 47 U.S.C. § 153(39).
11. Plaintiff is a person as that term is defined or referenced by RIGL § 6-13.1-5.2, RIGL § 9-1-28.1.
12. As a consumer, Plaintiff purchased a cellular telephone for personal and household use.
13. In purchasing his cellular telephone and cellular telephone service, Plaintiff—as a natural person—became obligated or allegedly obligated to pay a debt to the cellular telephone service provider.
14. Plaintiff’s cellular telephone has a limited minutes plan, so that when HALE calls Plaintiff, it depletes the minutes on Plaintiff’s plan.
15. Upon information and belief, the Defendant, HALE is a political action committee formed in the District of Columbia.
16. HALE is a “person” as the term is defined by 47 U.S.C. § 153(39).
17. HALE is a person as that term is defined or referenced by RIGL § 6-13.1-5.2, and RIGL § 9-1-28.1.
18. HALE may be served upon its Registered Agent CT Corporation System at 1015

15th St NW, Suite 1000, Washington, DC 20005.

19. Does 1-10 (the “Agents”) are individual employees and/or agents employed by HALE and whose identities are currently unknown to the Plaintiff. One or more of the Agents may be joined as parties once their identities are disclosed through discovery.
20. HALE at all times acted by and through one or more of the Agents.

IV. FACTUAL ALLEGATIONS

21. On August 28, 2020 at approximately 3:28 PM EST, Plaintiff received a call on his personal cellular telephone from the phone number (781) 332-4262.
22. When Plaintiff answered, he immediately heard a man’s voice talking.
23. Plaintiff recognized the man’s voice because he has received multiple calls with the same man’s voice.
24. The man was speaking from a script and used the same voice, intonation, and rhythm for each call.
25. The man identified himself as “Al calling from the Police and Sheriff Support Alliance.”
26. The man asked Plaintiff to donate money to support the police using the following prerecorded message:

Hi, This is Al calling from the Police and Sheriff Support Alliance. The reason we’re giving you a call is to let you know there’s a concerned effort underway. We have so much outcry today to the public police. Our mission is to ensure law enforcement can provide the highest degree of uninterrupted public safety service to our communities. As a PAC, we support advanced training and techniques for officers, as well as death benefit fund for the officers we may lose in the line of duty. If we were to send you a sponsor envelope, could the officers count on your support? It’s important that we support people who will see this happen. There’s a \$35, a \$50, and a \$75 level. Which is best for you?

27. On August 31, 2020 at approximately 3:21 PM EST, Plaintiff received a call on his personal cellular telephone from the phone number (860) 406-7041.
28. When Plaintiff answered, he immediately heard the same man's voice talking from before.
29. Plaintiff recognized the man's voice because it was identical to the previous call.
30. The man was speaking from the exact same script and used the same voice, intonation, and rhythm for each call.
31. The same man again identified himself as "Al calling from the Police and Sheriff Support Alliance."
32. The man asked Plaintiff to donate money to support the police using the same script as stated above.
33. The calls from the "Police and Sheriff Support Alliance" used a prerecorded message to respond to an algorithm of consumer statements and responses.
34. The messages did not clearly state the identity of the business, individual, or other entity that is responsible for initiating the call to Plaintiff.
35. The messages did not clearly state the telephone number of such business, other entity, or individual.
36. The calls from the "Police and Sheriff Support Alliance" did not provide an automated, interactive voice- and/or key press-activated opt-out mechanism for the called person to make a do-not-call request.
37. During the prerecorded messages, Plaintiff researched the "Police and Sheriff Support Alliance" and could not find any registration for the organization.
38. Plaintiff was interested in the group so he provided his address to the automated

system so that he could learn more about the organization since the prerecorded message did not provide the full name or phone number of the organization.

39. On September 4, 2020, Plaintiff went to his mailbox and found an “invoice” from the “Police & Sheriff Support Alliance.”

40. Plaintiff attaches a copy of the invoice and payment envelopes to this Complaint as Exhibit B.

41. In the invoice, the Police and Sheriff Support Alliance identifies itself as a “special program of Honoring American Law Enforcement PAC.”

42. Upon information and belief, the money collected from the Police and Sheriff Support Alliance is almost entirely used to personally enrich the fundraisers and the management of HALE.

DECEPTIVE NAMING OF ORGANIZATION

43. Defendants have erected a sophisticated organizational structure to evade discovery.

44. When Defendants called Plaintiff, they use the moniker, “Police and Sheriff Support Alliance.”

45. However, there is no corporation or organization registered with that name “Police and Sheriff Support Alliance.

46. Defendants do maintain a website at <https://policeandsheriffpac.org/>.

47. On their website, they make no mention of any affiliation with “Honoring American Law Enforcement PAC.”

48. This is deliberate—Defendants want to obscure their affiliations so as to avoid discovery by consumers and regulatory authorities.

49. Even though the Police and Sheriff Support Alliance identifies itself as a “PAC,”

there is no registry of the Police and Sheriff Support Alliance as a Political Action Committee with the Federal Election Commission or the Internal Revenue Service.

50. This too is deliberate. By not registering with the FEC or the IRS, Defendants may conceal the fundraising efforts, and pocket every penny of the money without having to report any of it.
51. Adding to the deceit, Defendant HALE registered itself as an organization in the District of Columbia where the general public cannot easily view public filing information.
52. Indeed, Plaintiff had to create a private registered account with the District of Columbia Corporation Commission to even view HALE's filing. See Exhibit C.
53. Plaintiff notes that HALE did not register "Police & Sheriff Support Alliance" as a trade name of HALE, even though it had the opportunity to do so. See Exhibit C page 2.
54. Plaintiff further notes that HALE's most recent statement of organization with the Federal Election Commission does not list "Police & Sheriff Support Alliance" as an affiliated organization. See Exhibit D, Page 3, Paragraph 6.
55. Plaintiff notes that the stated address for HALE before the Federal Election Commission is actually the address for a UPS store in metropolitan Washington DC:
- 1300 Pennsylvania Ave. NW 190 730, Washington, DC 20004
56. Plaintiff does not have an account with HALE.
57. Plaintiff has no pre-existing business relationship with HALE and never requested by an agreement or otherwise that he be contacted on his personal cellular telephone.
58. Plaintiff never provided his cellular telephone number to HALE and never provided

his consent to HALE to be contacted on his cellular telephone.

59. Plaintiff's phone number is part of the national Do Not Call registry.
60. Defendant employs an automated telephone dialing system ("ATDS") as defined in 47 U.S.C. § 227(a)(1).
61. Defendant used its ATDS to call Plaintiff on his cellular telephone.
62. The telephone number that Defendant used to contact Plaintiff was and is assigned to Plaintiff's cellular telephone service as specified in 47 U.S.C. § 227(b)(1)(A)(iii).
63. HALE's communications directly interfered with Plaintiff's right to peacefully enjoy phone service, and caused Plaintiff a significant amount of anxiety, frustration and annoyance.
64. HALE did not initiate any call to Plaintiff's cellular telephone number for an emergency purpose.
65. The robocall nature of HALE communication was abusive, and harassing to Plaintiff.
66. Plaintiff incurred actual damages as a result of Defendants' behavior.
67. Defendants initiated the telephone calls and messages for the purpose of encouraging Plaintiff to purchase or invest in the property, goods, or services for the "officers."
68. Upon information and belief, the "officers" do NOT refer to Law Enforcement Officers, but rather to the "officers" of HALE, *i.e.* HALE's messages encourage consumers to invest in the services that the 'corporate officers' of HALE provide. This would allow HALE officers to keep all the money from consumers to themselves.

69. The robocall nature of HALE communications to Plaintiff invaded the privacy interests that the TCPA was intended to protect.
70. The telephone calls to Plaintiff's cellular telephone number were not initiated by accident or mistake.
71. Defendant did not have the required prior express consent from Plaintiff to place automated calls using an ATDS or an artificial or prerecorded voice to Plaintiff on his cellular telephone.
72. Defendants do not maintain a written policy for maintaining a do-not-call list.
73. Defendants have not informed and trained personnel engaged in making calls on the use of the do-not-call list.
74. Defendants do not provide the called party with a telephone number or address at which the person or entity may be contacted.
75. It is unfair for HALE to call Plaintiff and deplete the minutes in Plaintiff's cell phone plan when Plaintiff listed his number on the Do Not Call Registry.
76. It is unfair for HALE to call Plaintiff and deplete the minutes in Plaintiff's cell phone plan when Defendant lacked consent to call Plaintiff.
77. Defendants' phone calls harmed Plaintiff by causing the very harm that Congress sought to prevent—a "nuisance and invasion of privacy."
78. Defendants' phone calls harmed Plaintiff by trespassing upon and interfering with Plaintiff's rights and interests in Plaintiff's cellular telephone.
79. Defendants' phone calls harmed Plaintiff by trespassing upon and interfering with Plaintiff's rights and interests in Plaintiff's cellular telephone line.
80. Defendants' phone calls harmed Plaintiff by intruding upon Plaintiff's seclusion.

- 81. Defendants harassed Plaintiff by incessantly calling Plaintiff's telephone.
- 82. Defendants' phone calls harmed Plaintiff by causing Plaintiff aggravation and annoyance.
- 83. Defendants' phone calls harmed Plaintiff by wasting Plaintiff's time.
- 84. Defendants' phone calls harmed Plaintiff by depleting the battery life on Plaintiff's cellular telephone.
- 85. Defendants' phone calls harmed Plaintiff by using data storage space in Plaintiff's cellular telephone.

V. STATUTORY STRUCTURE TELEPHONE CONSUMER PROTECTION ACT

- 86. In 1991, Congress enacted the TCPA in response to a growing number of consumer complaints regarding certain telemarketing practices.
- 87. The TCPA regulates, *inter alia*, the use of automated telephone dialing systems.
- 88. Under the TCPA, an "automated telephone dialing system" ("ATDS") is: (1) an automated dialing system capable of storing or producing and dialing telephone numbers, using a random or sequential number generator; and/or (2) a predictive dialer, which makes automated calls at a pace designed to optimize matching a connected call with an available agent. See 47 U.S.C. § 227(a)(1)); *In re Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Declaratory Ruling, 23 F.C.C.R. 559, ¶ 12 (2008) ("FCC 2008 Declaratory Ruling").
- 89. Specifically, 47 U.S.C. § 227(1)(A)(iii) prohibits any call using an ATDS or an artificial or prerecorded voice to a cellular phone without prior express consent by the person being called, unless the call is for emergency purposes.
- 90. According to findings by the Federal Communications Commission ("FCC"), such

calls are prohibited because automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls. The FCC also recognized that wireless customers are charged for incoming calls. See *In re Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, Report and Order, 18 F.C.C.R. 14014 (2003).

VI. STATUTORY STRUCTURE RHODE ISLAND DECEPTIVE TRADE PRACTICES ACT

91. The Rhode Island Deceptive Trade Practices Act was passed to declare as unlawful the “unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce.” RIGL § 6-13.1-2.
92. Under the Rhode Island Deceptive Trade Practices Act, a “person” means natural persons, corporations, and any other legal entity. RIGL § 6-13.1-1 (3).
93. Under the Rhode Island Deceptive Trade Practices Act, “trade” and “commerce” mean the sale or distribution of any services and any property, tangible or intangible, real, personal, or mixed, and any other article, commodity, or thing of value wherever situate, and include any trade or commerce directly or indirectly affecting the people of Rhode Island. RIGL § 6-13.1-1 (5).
94. Under the Rhode Island Deceptive Trade Practices Act, unfair methods of competition and unfair or deceptive acts or practices include (but are not limited to) any one or more of the following:
 - a. Engaging in any other conduct that similarly creates a likelihood of confusion or of misunderstanding [RIGL § 6-13.1-1 (6) (xii)].
 - b. Engaging in any act or practice that is unfair or deceptive to the consumer [RIGL § 6-13.1-1 (6) (xiii)].
 - c. Using any other methods, acts or practices which mislead or deceive members of the public in a material respect [RIGL § 6-13.1-1 (6) (xiv)].

95. The Rhode Island Deceptive Trade Practices Act does not define consumer. RIGL § 6-13.1-1.
96. The remedies available under the Rhode Island Deceptive Trade Practices Act are available to “any person” and are not limited to consumers. RIGL § 6-13.1-5.2.
97. The remedies available under the Rhode Island Deceptive Trade Practices Act are available to “any person” and do not require a vendor-consumer relationship. RIGL § 6-13.1-5.2.
98. Under the Rhode Island Deceptive Trade Practices Act, any person who purchases or leases goods or services primarily for personal, family, or household purposes and thereby suffers any ascertainable loss of money or property, real or personal, as a result of the use or employment by another person of a method, act, or practice declared unlawful by § 6-13.1-2, may bring an action under the rules of civil procedure in the court of the county in which the seller or lessor resides; is found; has his or her principal place of business or is doing business; or in the superior court of the county as is otherwise provided by law, to recover actual damages or two hundred dollars (\$200), whichever is greater. The court may, in its discretion, award punitive damages and may provide other equitable relief that it deems necessary or proper. RIGL § 6-13.1-5.2(a).

VII. STATUTORY STRUCTURE RIGHT TO PRIVACY

99. Under RIGL § 9-1-28.1, it is the policy of this state that every person in this state shall have a right to privacy which shall be defined to include, *inter alia*, the right to be secure from unreasonable intrusion upon one's physical solitude or seclusion.

COUNT I – Telephone Consumer Protection Act – 47 U.S.C. § 227(b)(1)(A)(iii)

100. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
101. Defendants' violations of the TCPA include, but are not limited to, the following:
- i. Making and/or initiating a telephone call using an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a cellular telephone service, in violation of 47 U.S.C. § 227(b)(1)(A)(iii).
102. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
103. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for "each such violation" pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT II – Telephone Consumer Protection Act – 47 CFR § 64.1200(a)(1)(iii)

104. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
105. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. No person or entity may use an automatic telephone dialing system or an

artificial or prerecorded voice to any telephone number assigned to a paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call.

47 CFR § 64.1200(a)(1)(iii).

106. Defendants damaged Plaintiff by calling his cellular phone and using the limited minutes plan in his cellular telephone plan that Plaintiff purchased.
107. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
108. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT III – Telephone Consumer Protection Act – 47 CFR § 64.1200(a)(2)

109. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
110. Defendants violated regulations of the TCPA including, but not limited to, the following:
 - i. No person or entity may initiate, or cause to be initiated, any telephone call that includes or introduces an advertisement or constitutes telemarketing, using an automatic telephone dialing system or an artificial or prerecorded voice, to any

of the lines or telephone numbers described in paragraphs (a)(1)(i) through (iii) of this section.

47 CFR § 64.1200(a)(2).

111. Defendants damaged Plaintiff by calling his cellular phone with telemarketing messages and using the limited minutes plan in Plaintiff's cellular telephone plan that Plaintiff purchased.
112. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
113. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT IV – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(1)

114. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
115. Defendants violated regulations of the TCPA including, but not limited to, the following:
 - i. All artificial or prerecorded voice telephone messages shall at the beginning of the message, state clearly the identity of the business, individual, or other entity that is responsible for initiating the call. If a business is responsible for initiating

the call, the name under which the entity is registered to conduct business with the State Corporation Commission (or comparable regulatory authority) must be stated.

47 CFR § 64.1200(b)(1).

116. Since Defendants did not properly identify themselves to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to conduct further research to determine who was actually calling Plaintiff.
117. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
118. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT V – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(2)

119. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
120. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. During or after the message, state clearly the telephone number of such business, other entity, or individual.

47 CFR § 64.1200(b)(2).

121. Since Defendants did not provide a telephone number to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to conduct further research to determine who was actually calling Plaintiff.
122. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
123. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT VI – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(3)

124. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
125. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. In every case where the artificial or prerecorded voice telephone message includes or introduces an advertisement or constitutes telemarketing and is delivered to a residential telephone line or any of the lines or telephone numbers described in paragraphs (a)(1)(i) through (iii), provide an automated, interactive voice- and/or key press-activated opt-out mechanism for the called

person to make a do-not-call request.

47 CFR § 64.1200(b)(3).

126. Since Defendants did not provide an opt-out mechanism to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses from further phone calls to Plaintiff's cellular telephone.
127. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
128. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT VII – Telephone Consumer Protection Act – 47 CFR § 64.1200(c)(2)

129. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
130. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. No person or entity shall initiate any telephone solicitation to a residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the Federal Government.

47 CFR § 64.1200(c)(2).

- ii. The rules set forth in paragraph (c) and (d) of this section [47 CFR § 64.1200] are applicable to any person or entity making telephone solicitations or telemarketing calls to wireless telephone numbers to the extent described in the Commission's Report and Order, CG Docket No. 02-278, FCC 03-153, "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991."

47 CFR § 64.1200(e).

131. Since Defendants called Plaintiff's cellular telephone while his telephone was on the National Do Not Call Registry, Defendants' conduct damaged Plaintiff by forcing him to incur expenses from further phone calls to Plaintiff's cellular telephone.
132. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
133. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT VIII – Telephone Consumer Protection Act – 47 CFR § 64.1200(d)(4)

134. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
135. Defendants violated regulations of the TCPA including, but not limited to, the

following:

- i. Identification of sellers and telemarketers. A person or entity making a call for telemarketing purposes must provide the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which the person or entity may be contacted.

47 CFR § 64.1200(d)(4).

136. Since Defendants did not identify the name of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.
137. Since Defendants did not identify the name of the entity on whose behalf the call is being made, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.
138. Since Defendants did not identify the telephone number of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.
139. Since Defendants did not identify the address of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.
140. As a result of Defendants' actions, under 47 U.S.C. § 227(b)(3), Plaintiff is entitled to an award of statutory damages of \$500.00 "for each such violation" and an injunction prohibiting future conduct in violation of the TCPA.
141. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(b)(3) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(b)(3);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(b)(3);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT IX – Telephone Consumer Protection Act– 47 U.S.C. § 227(c)(5)

142. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
143. Defendants' violations of the TCPA include, but are not limited to, the following:
- i. Placing more than one telephone call to Plaintiff's cellular phone without consent in violation of the TCPA regulations.
144. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
145. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT X – Telephone Consumer Protection Act – 47 CFR § 64.1200(a)(1)(iii)

146. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
147. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. No person or entity may use an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a paging service, cellular telephone service, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call.

47 CFR § 64.1200(a)(1)(iii).
148. Defendants damaged Plaintiff by calling his cellular phone and using the limited minutes plan in his cellular telephone plan that Plaintiff purchased.
149. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
150. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XI – Telephone Consumer Protection Act – 47 CFR § 64.1200(a)(2)

151. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
152. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. No person or entity may initiate, or cause to be initiated, any telephone call that includes or introduces an advertisement or constitutes telemarketing, using an automatic telephone dialing system or an artificial or prerecorded voice, to any of the lines or telephone numbers described in paragraphs (a)(1)(i) through (iii) of this section.
- 47 CFR § 64.1200(a)(2).
153. Defendants damaged Plaintiff by calling his cellular phone with telemarketing messages and using the limited minutes plan in Plaintiff's cellular telephone plan that Plaintiff purchased.
154. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
155. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XII – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(1)

156. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
157. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. All artificial or prerecorded voice telephone messages shall at the beginning of the message, state clearly the identity of the business, individual, or other entity that is responsible for initiating the call. If a business is responsible for initiating the call, the name under which the entity is registered to conduct business with the State Corporation Commission (or comparable regulatory authority) must be stated.
- 47 CFR § 64.1200(b)(1).
158. Since Defendants did not properly identify themselves to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to conduct further research to determine who was actually calling Plaintiff.
159. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
160. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XIII – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(2)

161. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
162. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. During or after the message, state clearly the telephone number of such business, other entity, or individual.
- 47 CFR § 64.1200(b)(2).
163. Since Defendants did not provide a telephone number to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to conduct further research to determine who was actually calling Plaintiff.
164. Since Defendants did not properly identify themselves to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to conduct further research to determine who was actually calling Plaintiff.
165. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
166. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.

- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XIV – Telephone Consumer Protection Act – 47 CFR § 64.1200(b)(3)

167. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.
168. Defendants violated regulations of the TCPA including, but not limited to, the following:
- i. In every case where the artificial or prerecorded voice telephone message includes or introduces an advertisement or constitutes telemarketing and is delivered to a residential telephone line or any of the lines or telephone numbers described in paragraphs (a)(1)(i) through (iii), provide an automated, interactive voice- and/or key press-activated opt-out mechanism for the called person to make a do-not-call request.
- 47 CFR § 64.1200(b)(3).
169. Since Defendants did not provide an opt-out mechanism to Plaintiff during the prerecorded message, Defendants' conduct damaged Plaintiff by forcing him to incur expenses from further phone calls to Plaintiff's cellular telephone.
170. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
171. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.

- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XV – Telephone Consumer Protection Act – 47 CFR § 64.1200(c)(2)

172. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.

173. Defendants violated regulations of the TCPA including, but not limited to, the following:

- i. No person or entity shall initiate any telephone solicitation to a residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the Federal Government.

47 CFR § 64.1200(c)(2).

- ii. The rules set forth in paragraph (c) and (d) of this section [47 CFR § 64.1200] are applicable to any person or entity making telephone solicitations or telemarketing calls to wireless telephone numbers to the extent described in the Commission's Report and Order, CG Docket No. 02-278, FCC 03-153, "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991."

47 CFR § 64.1200(e).

174. Since Defendants called Plaintiff's cellular telephone while his telephone was on the National Do Not Call Registry, Defendants' conduct damaged Plaintiff by forcing him to incur expenses from further phone calls to Plaintiff's cellular telephone.

175. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.

176. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XVI – Telephone Consumer Protection Act – 47 CFR § 64.1200(d)(4)

177. The acts of the Defendants constitute violations of the Telephone Consumer Protection Act.

178. Defendants violated regulations of the TCPA including, but not limited to, the following:

- i. Identification of sellers and telemarketers. A person or entity making a call for telemarketing purposes must provide the called party with the name of the individual caller, the name of the person or entity on whose behalf the call is being made, and a telephone number or address at which the person or entity may be contacted.

47 CFR § 64.1200(d)(4).

179. Since Defendants did not identify the name of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.

180. Since Defendants did not identify the name of the entity on whose behalf the call is being made, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.

181. Since Defendants did not identify the telephone number of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.

182. Since Defendants did not identify the address of the caller, Defendants' conduct damaged Plaintiff by forcing him to incur expenses to determine who called Plaintiff's cellular telephone.
183. As a result of Defendants' actions, under 47 U.S.C. § 227(c)(5), Plaintiff is entitled to an award of statutory damages of \$500.00 for each such violation and an injunction prohibiting future conduct in violation of the TCPA.
184. Since Defendants' violations were committed willfully and knowingly, Plaintiff requests an award of statutory damages of \$1,500.00 under 47 U.S.C. § 227(c)(5) for each such violation.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to 47 U.S.C. § 227(c)(5);
- 2) Statutory Damages in the amount of \$1,500 for each such violation pursuant to 47 U.S.C. § 227(c)(5);
- 3) Declaratory Relief that Defendant violated the TCPA.
- 4) Injunctive Relief to restrain and enjoin Defendant from calling Plaintiff.
- 5) Referral to the Rhode Island Attorney General for prosecution under 47 U.S.C. § 227(g).
- 6) Such other relief as the Court may deem just and appropriate.

COUNT XVII – RHODE ISLAND DTPA

185. The Plaintiff reasserts the facts and allegations contained in all of the proceeding paragraphs and incorporates them into this Count.
186. Defendants violated the restrictions the RI DTPA imposes on them prohibiting Defendants from using unfair and deceptive practices in violation of Rhode Island General Law § 6-13.1 *et seq.*
187. Defendants engaged in false representation or deceptive means to obtain money from a consumer.
188. By calling Plaintiff's personal cellular telephone repeatedly, Defendants caused

Plaintiff to incur charges to his personal cellular telephone plan, and depleted the minutes available in his plan.

189. By using a trade name ("Police & Sheriff Support Alliance") that was not registered to any legitimate business, Defendants caused Plaintiff confusion and frustration while he attempted to ascertain who was actually calling him.
190. Defendants actions were unfair to Plaintiff where Plaintiff went out of his way to register his cellular phone with the Do Not Call Registry to stop unwanted phone calls from Defendants.
191. Defendants' actions or transactions are not permitted by the Rhode Island department of business regulation.
192. As a result of such conduct and actions, the Plaintiff has suffered actual damages, in an amount to be determined by the court, and he may recover therefore pursuant to Rhode Island General Law § 6-13.1-5.2.
193. Such conduct and actions of Defendants were willful, egregious, wicked, and, as a result, the Plaintiff is entitled to punitive damages pursuant to Rhode Island General Law § 6-13.1-5.2.
194. The Plaintiff is entitled to an award of attorney's fees pursuant to Rhode Island General Law § 6-13.1-5.2.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to RIGL § 6-13.1-5.2;
- 2) Statutory Damages against Defendants in the amount of \$200 for each violation of the Rhode Island Deceptive Trade Practices Act pursuant to RIGL § 6-13.1-5.2;
- 3) Punitive Damages pursuant to RIGL § 6-13.1-5.2;
- 4) Costs and attorney fees pursuant to RIGL § 6-13.1-5.2;
- 5) Declaratory Relief that Defendants violated the Rhode Island Deceptive Trade Practices Act;

- 6) Injunctive Relief to refer the Court's findings to the Rhode Island Attorney General for prosecution and forfeiture under RIGL § 6-13.1-5, RIGL § 6-13.1-5.2(c), RIGL § 6-13.1-7, and RIGL § 6-13.1-9.
- 7) Such other relief as the Court may deem just and appropriate.

COUNT XVIII – RIGHT TO PRIVACY

195. The Plaintiff reasserts the facts and allegations contained in all of the proceeding paragraphs and incorporates them into this Count.
196. Defendants intruded upon the seclusion of Plaintiff.
197. Defendants invaded Plaintiff's privacy by calling his private cellular phone.
198. Defendants benefit from the violation of Plaintiff's privacy.
199. Such conduct and actions of Defendants were willful and egregious.
200. As a result of such conduct and actions, the Plaintiff has suffered actual damages, in an amount to be determined by the court, and he may recover therefore pursuant to Rhode Island General Law § 9-1-28.1.

Wherefore, the Plaintiff requests judgment against each Defendant for

- 1) Actual Damages pursuant to RIGL § 9-1-28.1;
- 2) Costs and attorney fees pursuant to RIGL § 9-1-28.1;
- 3) Injunctive Relief to restrain and enjoin Defendant from violating Plaintiff's privacy;
- 4) Such other relief as the Court may deem just and appropriate.

The Plaintiff,
Christopher Laccinole

/s/ Christopher M. Laccinole
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